

ORDINANCE NO. O2014-34

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, CHANGING AND AMENDING THE CONVENIENCE STORE SECURITY ORDINANCE; RENAMING THE ORDINANCE; PROVIDING FOR PURPOSE AND FINDINGS; PROVIDING FOR DEFINITIONS; REVISING REQUIREMENTS FOR CONVENIENCE BUSINESSES; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

Section 1. Purpose

This article supersedes and replaces the "Convenience Store Security Ordinance" (Ord. No. 229, 11-26-90) in order to conform the ordinance with the provisions of the "Convenience Business Security Act" found in Chapter 812 of the Florida Statutes.

Section 2. Title.

This article shall be known and may be cited as the "Convenience Business Security Ordinance."

Section 3. Findings

The City Commission finds that convenience businesses are at risk for robbery. The City Commission further finds that certain minimum security requirements are helpful in protecting employees and the consumer public from robbery and injury. The City Commission further finds that certain minimum security requirements are needed to protect the health, welfare, and safety of residents of, and visitors to, the City.

Section 4. Intent.

It is the City Commission's intent to require convenience businesses to use security devices and security measures to protect employees and the consumer public from robbery and other violent crimes. Furthermore, it is the City Commission's intent that security devices, measures, and standards shall be no different than those standards contained in F.S. §§ 812.173 and 812.174, under state preemption.

Section 5. Definition.

As used in this article, the term "convenience business" means any place of business that is primarily engaged in the retail sale of groceries, or both groceries and gasoline, and that is open for business at any time between the hours of 11:00 p.m. and 5:00 a.m. It does not include: a business that is solely or primarily a restaurant; a business that always has at least five employees on the premises after 11 p.m. and before 5 a.m.; a business that has at least 10,000 square feet of retail floor space; or any business in which the owner or member of the owner's family work between the hours of 11 p.m. and 5 a.m.

Section 6. Security Measures for Convenience Businesses.

The security measures set forth in F.S. §§ 812.173 and 812.174, are hereby incorporated by reference and adopted herein.

Section 7. Effective date.

This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this 14th day of July, 2014, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

ATTEST: Cassandra Lippincott
Cassandra Lippincott, City Clerk

Ed Wolf
Ed Wolf, Mayor

First Reading: June 23, 2014

Second Reading: July 14, 2014

Approved as to form:

Ashley S. Hunt
Ashley S. Hunt, City Attorney